

Plaintiffs' Exhibit 95

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: FACEBOOK, INC., MDL No. 2843
CONSUMER USER PROFILE Case No.
LITIGATION 18-md-02843-VC-JSC

This document relates to:
ALL ACTIONS

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ZOOM DEPOSITION OF FACEBOOK's 30(b)(6)
CORPORATE REPRESENTATIVE - MICHAEL DUFFEY
(Reported Remotely via Video & Web Videoconference)
Palo Alto, California (Deponent's location)
Wednesday, June 2, 2022
Volume I

STENOGRAPHICALLY REPORTED BY:
REBECCA L. ROMANO, RPR, CSR, CCR
California CSR No. 12546
Nevada CCR No. 827
Oregon CSR No. 20-0466
Washington CCR No. 3491
JOB NO. 5234611
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DEPOSITION OF MICHAEL DUFFEY, taken on
behalf of the Plaintiffs, with the deponent located
in Palo Alto, California, commencing at
9:14 a.m., Wednesday, June 3, 2022, remotely
reported via Video & Web videoconference before
REBECCA L. ROMANO, a Certified Shorthand Reporter,
Certified Court Reporter, Registered Professional
Reporter.

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APPEARANCES(cont'd)

(All parties appearing via Web videoconference)

ALSO PRESENT:

Ian Chen, Associate General Counsel,
Meta Platforms

John Macdonell, Videographer

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1 MR. FALCONER: Objection. Form. 10:02:37

2 THE DEPONENT: Switchboard and DYI are
3 very similar in the information that is captured in
4 a snapshot. Switchboard has some additional
5 information that DYI doesn't pertaining to Facebook 10:03:03
6 groups and advertising accounts.

7 Q. (By Ms. Weaver) And specifically, does
8 Switchboard contain relating to Facebook groups and
9 advertising accounts that DYI does not?

10 A. My understanding is that DYI doesn't have 10:03:49
11 information related to whether a user is an
12 administrator of a particular Facebook group. I
13 don't believe DYI has information related to a
14 user's advertising accounts.

15 Q. And when you say "a user's advertising 10:04:13
16 accounts," what do you mean?

17 A. If a user is selling ads on Facebook.

18 Q. So for the record, Switchboard has
19 information regarding users' advertisers' accounts
20 that are used to sell ads on Facebook; is that 10:04:46
21 correct?

22 A. I'm not -- I'm not sure of the exact
23 information relating to advertising accounts in
24 Switchboard. That would be a question for the law
25 enforcement response team. 10:05:06

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1 Q. What is the law enforcement response 10:05:07

2 team?

3 A. That -- that team is -- is -- receives

4 subpoenas and requests from law enforcement

5 regarding individual users at Facebook. 10:05:31

6 Q. And why does the law enforcement response

7 team use Switchboard as opposed to DYI tool?

8 MR. FALCONER: Objection. Beyond the

9 scope of the notice.

10 And, Mr. Duffey, again, I'll just caution 10:05:49

11 you: Don't reveal any privileged communications

12 you may have had in the course of your work at the

13 company in answering that question.

14 THE DEPONENT: I don't know -- I don't

15 know the -- the -- all of the reasons why the law 10:06:17

16 enforcement response team uses Switchboard. I know

17 that Switchboard was a tool used by that team

18 before DYI. The ability to download your

19 information was available to users.

20 I -- I -- I think that it -- the law 10:06:39

21 enforcement response team can produce records to

22 law enforcement in response to subpoena in a more

23 usable way than DYI has available to it as a

24 download.

25 Q. (By Ms. Weaver) And when you say "in a 10:07:07

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1 more usable way," what do you mean? 10:07:08

2 A. In a, you know -- like a PDF record.

3 Q. And does the Switchboard tool also have

4 the ability to retrieve information not contained

5 in DYI that would include, for example, deleted 10:07:36

6 posts or other kinds of activity that is not

7 captured by the DYI tool, setting aside the two

8 examples that you earlier identified?

9 A. I don't believe so, no. If a user

10 deletes -- Switchboard, similar to DYI, is a 10:08:01

11 snapshot of -- for a particular day and time. If a

12 user were to delete a post, for instance, and we

13 take the Switchboard snapshot after a post is

14 deleted, that would not be captured in Switchboard,

15 no. 10:08:29

16 Q. Does the law enforcement response team

17 use any tools other than Switchboard to collect and

18 provide information about users in response to

19 subpoenas?

20 MR. FALCONER: Objection. Beyond the 10:08:42

21 scope of the notice.

22 THE DEPONENT: I don't know.

23 Q. (By Ms. Weaver) Who would know?

24 MR. FALCONER: Same objection.

25 THE DEPONENT: Somebody -- somebody on 10:09:03

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1 Q. Can you identify which data in Hive was 11:09:42
2 placed on legal hold for this case?

3 A. No, I can't.

4 Q. Can anyone?

5 A. Can you -- can we go back two questions 11:10:09
6 ago? Just so I -- I understand the question.

7 Q. Yeah. No problem.

8 Let me try it this way. Was any data in
9 Hive placed on legal hold for this case?

10 A. Yes. 11:10:33

11 Q. What data in Hive was placed on legal
12 hold for this case?

13 A. I understand that there are 137 Hive
14 tables placed on legal hold for the
15 Cambridge Analytica matter. We don't maintain a 11:10:51
16 description or -- a description of the fields or
17 Hive tables that have been placed be on hold.
18 If -- if I were to -- you know, needed to
19 understand what data from those 137 tables, that
20 would be a -- a question for the E-discovery data 11:11:34
21 science team.

22 Q. It is possible for Facebook to identify
23 those 137 Hive tables, correct?

24 A. Yes. Our data science team could
25 identify those tables. 11:11:53